

REMARKS

This present claim amendments are filed with a request for continued examination (RCE) following a decision by the Board of Patent Appeals and Interferences on February 19, 2009 (“Decision”). In the Decision, the rejections of the claims were affirmed in light of the following cited references:

- Cottrell et al, US Patent 5,694,484 (“Cottrell”);
- Klear et al, WIPO Publication WO 01/03040 A1 (“Klear”);
- Ishizuka, US Publication 2002/065873 (“Ishizuka”);
- Devarics, US Patent 5,553,240 (“Devarics”); and
- Fidler, US Patent 6,725,051 (“Fidler”).

As of the Decision of the Board, claims 1-5, 7-9, 11-15, 17-20, 22-28, and 30 were pending. Claims 1-5, 7-9, 11-15, 17-20, 22-28, and 30 are presently canceled. Claims 40-62 are presently added with claims 40, 48, and 56 being the independent claims.

The new claims are discussed below in light of the cited art of record. The examiner is respectfully urged to enter the present amendments and reconsider the application in light of the new claims presented with the RCE. Should the examiner have any questions or concerns that might be efficiently resolved by way of a telephonic interview, the examiner is invited to call applicants’ undersigned attorney, Jon M. Isaacson, at **206-332-1102**.

Patentability of new claims

Claims 40-62 are presently added with claims 40, 48, and 56 being the independent claims.

Claim 40 recites, in part, “the print server is configured to modify the data for the printout of the permanent record based on the characteristics of the specific printer..., wherein the modification of the data comprises utilizing an adaptive halftone method.” The office actions and the examiner’s answer leading up to the Decision, and the Decision itself, put forth the arguments for why the presently-canceled claims are obvious. However, none of the presently-canceled claims recited modifying data for a printout using an adaptive halftone method. Applicants can discern nothing in the cited portions of Cottrell, Klear, Ishizuka, Devarics, or Fidler which would teach or suggest the modification of data for a

printout using an adaptive halftone method. Accordingly, applicants submit that claim 40 is patentably defined over the cited art. Accordingly, applicants request allowance of claim 40.

Independent **claims 48 and 56** contain recitations similar to those recitations of claim 31 discussed above. For at least the reasons discussed above regarding the patentability of claim 31, applicants submit that claims 48 and 56 are patentably defined over the cited art. Accordingly, applicants respectfully request allowance of claims 48 and 56.

Claims 41-47, 49-55, and 57-62 depend, directly or indirectly, from claims 40, 48, and 56, respectively. Inasmuch as claims 41-47, 49-55, and 57-62 depend from independent claims which are patentably defined over the cited art, applicants submit that claims 41-47, 49-55, and 57-62 are patentably defined over the cited art. Accordingly, applicants respectfully request allowance of claims 41-47, 49-55, and 57-62.

Support for the subject matter recited by the new claims

When filed, the present application incorporated by reference the concurrently-filed application by Gorian et al, entitled “Rendering Images Utilizing Adaptive Error Diffusion”, now US Patent 6,937,365 (“Gorian”). (Specification, para. 0044.) Gorian discusses adaptive halftone methods in various locations throughout the patent. (See e.g., abstract, col. 2 line 39 – col. 3 line 25.) Applicants submit that the recitations of claims 40-62 which refer to adaptive halftone methods are supported by Gorian, as Gorian was incorporated by reference when the present application was filed.

Conclusion

Applicants respectfully request entry of the present amendments and continued examination of the present application. Applicants believe that the present remarks are responsive to each of the points raised by the examiner in the office actions and the examiner’s answer, and to each of the points raised by the Board in the Decision.

Applicants submit that claims 40-62 of the application are in condition for allowance. Favorable consideration and passage to issue of the application at the examiner’s earliest convenience is earnestly solicited.

DOCKET NO.: **BA-0330
Application No.: 09/870,538
Office Action Dated: February 19, 2009

PATENT

Date: April 17, 2009

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